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DE RUEHLP #0769/01 0792024
ZNY CCCCC ZZH
P 202024Z MAR 07
FM AMEMBASSY LA PAZ
TO RUEHC/SECSTATE WASHDC PRIORITY 2897
INFO RUEHAC/AMEMBASSY ASUNCION 6657
RUEHBO/AMEMBASSY BOGOTA 3982
RUEHBR/AMEMBASSY BRASILIA 7865
RUEHBW/AMEMBASSY BUENOS AIRES 5120
RUEHCV/AMEMBASSY CARACAS 2347
RUEHPE/AMEMBASSY LIMA 2462
RUEHMD/AMEMBASSY MADRID 3390
RUEHMN/AMEMBASSY MONTEVIDEO 4500
RUEHQD/AMEMBASSY QUITO 4989
RUEHSG/AMEMBASSY SANTIAGO 9573
RUEHUB/USINT HAVANA 0230
RHMFIS/HQ USSOUTHCOM MIAMI FL
RUMIAAA/USCINCSO MIAMI FL
RHEHNSC/NSC WASHINGTON DC

C O N F I D E N T I A L LA PAZ 000769

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WHA/AND LPETRONI, WHA/FO CSHAPIRO, L/PM THEROLD, I/T DCOOK,
PM/SNA JDETEMPLE, PJANZEN

E.O. 12958: DECL: 01/17/2017

TAGS: KTIA PGOV PREL MARR MASS MOPS BL

SUBJECT: RESPONSE TO DIP NOTE EXCHANGE ON MIL ACTIVITIES

REF: A. SECSTATE 169017
 1B. LA PAZ 2732 (2006)
 1C. LA PAZ 3222 (2006)

Classified By: Ambassador Philip S. Goldberg for reasons 1.4 (b) and (d).).

¶1. (C) This message contains an urgent action request (paragraph 4).

¶2. (C) Following Post's receipt of reftel A in October 2006, Emboffs began working to obtain a Status of Forces Agreement (SOFA) for U.S. military activities in Bolivia. However, the GOB was not willing to sign a SOFA given Bolivia's current political environment (see reftels B and C on the political controversy surrounding the Bolivian-- Venezuelan treaty for military cooperation). While a permanent SOFA agreement may be possible in the medium-to-long term, it is not tenable now. Therefore, Post updated the diplomatic note which has served as the U.S. agreement with Bolivia since 1997 and sent same to the MFA and Ministry of Defense (MOD) for their consideration. After months of meetings with GOB interlocutors, the GOB sent its formal response to the Embassy March 19.

¶3. (SBU) An informal translation of the GOB response follows:

Begin text.

The Ministry of Foreign Relations and Worship's Special Affairs Unit has the honor of greeting the Honorable Embassy of the United States of America and has the pleasure to refer to diplomatic note 511, related to the text Proposal for Agreement between the Republic of Bolivia and the Government of the United States of America on the entry and activities of civil and military personnel of the Government of the United States of America to implement projects of technical and scientific cooperation and humanitarian assistance under the auspices of the Armed Forces of the United States of America.

In that regard, allow us to present the following

modifications:

Point 6: The claims from other persons (third parties) stemming from the assistance shall be directed to the Government allegedly responsible for those, to be resolved in compliance with the laws of the country that receives the technical, scientific, and humanitarian cooperation.

Point 7: The Government of the Republic of Bolivia agrees that the personnel of the United States of America in Bolivia, who have been assigned to perform activities under this Agreement will be able to perform their assigned duties and drive U.S. official or military vehicles; to that effect, the USG through its diplomatic representatives shall submit to the Ministry of Foreign Affairs and Worship a list containing the personnel assigned for the implementation of the agreement, attaching a copy of their driver's license, issued in the originating country, in order to proceed with the issuance of a temporary driver's license.

The Ministry of Foreign Relations and Worship's Special Affairs Unit reiterates to the Honorable Embassy of the United States of America the assurances of its highest and most distinguished consideration.

End text.

¶4. (C) URGENT ACTION REQUEST AND COMMENT: Milgroup Commander Colonel Jim Campbell has a previously scheduled meeting with Minister of Defense Walker San Miguel March 21. Post views point 6, which essentially provides that U.S. military officials would surrender their immunity in order to complete a humanitarian exercise, as a non-starter, and proposes explaining same to San Miguel March 21. If Washington disagrees, Post requests instructions by OOB March 21 to the contrary. Because Embassy's milgroup is planning a New Horizons exercise to take place in Bolivia in June 2007, for which preparations are already underway, time is of the essence in completing these negotiations. Post will stand by for detailed instructions. End action request and comment.
GOLDBERG